



ATTORNEY DOCKET NO. 53074-025  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tetsuzo UEDA

Serial No.: 09/904,129

Filed: July 11, 2001

)  
) Group Art Unit: 1775

)  
) Examiner: STEPHEN J. STEIN  
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)  
)  
)

For: BUFFER LAYER AND GROWTH METHOD FOR SUBSEQUENT  
EPITAXIAL GROWTH OF III-V NITRIDE SEMICONDUCTORS

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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TC 1700

In response to the restriction requirement set forth in the Office Action  
mailed July 1, 2002, having a shortened statutory period for response set to expire  
August 1, 2002, wherein the Examiner required restriction between Group I - claims  
1-15, drawn to an epitaxial wafer and Group II - claims 16-43, drawn to a epitaxial  
growth method, Applicant elects without traverse Group II, claims 16-43 for initial  
prosecution on the merits. Please cancel claims 1-15 without prejudice.

Applicant also reserves the right to file a Divisional Application for the non-  
elected claims 1-15, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this  
conditional petition is being made to provide for the possibility that Applicant has  
inadvertently overlooked the need for a petition for extension of time. The

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Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 8/1/92

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